

Kershaw County Board of Zoning Appeals

515 Walnut Street, Room 160, Camden, SC 29020 803-425-7233



MINUTES

KERSHAW COUNTY BOARD OF ZONING APPEALS DECEMBER 5, 2017 REGULAR SESSION COUNCIL CHAMBERS, KERSHAW COUNTY GOVERNMENT CENTER CAMDEN, SOUTH CAROLINA

Members Present: David Brown, Justin Conder, Paul Holder, Mike Jones, and Ben Strickland

Members Absent: None

Staff Present: Michael Conley, Heather Schmucker and Rhonda Darity

CALL TO ORDER

Paul Holder, called the meeting to order at 5:30 p.m.

MINUTES

The minutes from the October 3, 2017 regular meeting were reviewed. The motion to approve was made by Justin Conder, seconded by David Brown, and approval was unanimous.

PUBLIC HEARING CASE #17-05

Paul Holder opened the public hearing:

Planning and Zoning Director, Michael Conley, gave the Staff Report, stating that the applicant is requesting variances for the determination of front, side, and rear yards, and setbacks as set forth in Sections 3:2.1 and Table 3-4 of the Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR). The applicant is applying for a variance because the buildable area allowed by the ZLDR would not allow for the construction of a garage. To require the applicant to follow the current ZLDR would make more of a disruption to the land and neighboring properties bringing the buildable land up to code, than to allow a garage to be built within the setback area. The property is not accessible directly from Lake Road, but instead a communal driveway is utilized. Because of a large ravine located throughout the property, the applicant is very limited on buildable area. The landscape is such that it is, the garage will not be seen from the road. In order to grant a variance, the Board of Zoning Appeals is required to determine that the application of the Ordinance will result in unnecessary hardship, and that all four standards for a variance set by State Law and the Ordinance are met by the following facts:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the surrounding area will not be harmed by granting the variance.

It is clear that the applicant has been able to prove that the request for the variance meets the four (4) standards set by State Law and the Ordinance. Therefore, staff recommends that a variance be granted to the applicant in order to build the garage within the setback area of the property.

Mr. Charlie Weston informed the Board the he and his wife purchased the property 27 years ago and they would like to improve the property.

Minutes Approved by the Board of Zoning Appeals on January 2, 2018

Mr. Jefferson Olmart, representative for the applicant addressed the Board. He stated that due to the ravine, dramatic slope of the lot and the fact that a power line runs through the property it would cause a hardship on the property owner to bring dirt and fill in.

There being no more testimony, the Chairman closed the hearing.

After a brief discussion among the Board members, Justin Conder made the motion to approve the variance to allow the garage to be built in the front yard setback area, stating that all four standards for a variance set by State Law and the Ordinance have been met. The motion was seconded by Mike Jones, and approval was unanimous.

ADJOURNMENT

At 5:40 p.m., the Chairman called for a motion to adjourn. The motion to adjourn was made by Mike Jones, seconded by Ben Strickland, and approval was unanimous.

Respectfully submitted,
Rhonda Darity
Rhonda Darity
Secretary